

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DEREK MYLAN ALLDRED, #27177-078 §
§
VS. § CIVIL ACTION NO. 4:20cv620
§ CRIMINAL ACTION NO. 4:17cr105
UNITED STATES OF AMERICA §

MEMORANDUM OPINION AND ORDER

Pro se Movant Derek Mylan Alldred filed a motion for leave to appeal *in forma pauperis* (#26). An appellant may proceed *in forma pauperis* on appeal only if he is economically eligible and presents a nonfrivolous issue. *See Carson v. Polley*, 689 F.2d 562, 586 (5th Cir. 1982). A review of the case shows that, on September 29, 2023, the Court denied Movant's Motion to Vacate, Set Aside, or Correct Sentence because the issues he raised were without merit. At that time, the Court denied a certificate of appealability (#22). Because Movant has neither presented a nonfrivolous issue nor shown that he is entitled to a certificate of appealability, he also has not shown that he is entitled to proceed *in forma pauperis* on appeal. *United States v. Delario*, 120 F.3d 580, 582 (5th Cir. 1997).

It is therefore **ORDERED** Movant's motion for leave to appeal *in forma pauperis* (#26) is **DENIED**.

SIGNED this 10th day of January, 2024.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE